

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CURTIS LEWIS,

Plaintiff,

v.

CHRISTOPHER ENGLAND, *et al.*,

Defendants.

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Civil No. 3:07-0559

Judge Trauger

Magistrate Judge Brown

ORDER

On December 12, 2007, the Magistrate Judge issued a Report and Recommendation (Docket No. 29), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, the defendants' Motion for Summary Judgment (Docket No. 22) is **GRANTED**, and this case is **DISMISSED** for failure to exhaust administrative remedies under 42 U.S.C. § 1915(e)(a). It is further **ORDERED** that the defendants' Motion to Dismiss For Failure to Prosecute (Docket No. 27) is **DENIED AS MOOT**. Any appeal by the plaintiff from this ruling will not be certified as taken in good faith under 28 U.S.C. § 1915(a)(3).

It is so **ORDERED**.

ENTER this 15th day of January 2008.



ALETA A. TRAUGER
U.S. District Judge